

Harold Weisberg
Rt. 12, Frederick, Md. 21701
4/1/77

Dr. Vincent Guinn
University of California
Irvine, Ca.

Dear Dr. Guinn.

What relates to depositions in what follows I ask you to keep confidential until after the depositions are filed officially with the court. I do not know that this is necessary but I'd feel better knowing I have not crossed the line.

There are reasons for my writing you prior to the official filing of the depositions. I do not know when the transcript of most relevance to you will be typed up. As yet it has not been. It contains what I regard as defamatory of you and your former employer. The subject matter itself is one in which you have had interest and involvement.

If you have forgotten my name I am the one who has been seeking the scientific tests in the JFK assassination for 11 years now, the one who took this to the Supreme Court, which contributed to the amending of the Freedom of Information Act and the one who has the suit back in federal court now. It is in connection with this suit and with a firm and definitive remand decision from the federal court of appeals that I am taking the depositions I cannot afford to pay for.

Red Gibson of The National Enquirer is a personal friend. Red asked you to go over the NAA results on the paraffin casts. Probably a few other records were included. He was going to send me a copy of your report but he never got around to it and when I asked he could not find it.

Data of the kind you saw on the casts is now said not to exist with regard to the ballistics and ballistics-related materials. However, official lying about this would not be exceptional within my experience, in general and in this litigation.

Under discovery and hence not confidential we obtained some records that had been withheld earlier. These include some of John F. Gallagher's relating to you. It was months ago so my recollection is not certain. One in particular that sticks in my mind is his report of a phone call from you. The records indicated you were to be a consultant. In plain English Gallagher's memo said he refused to give you the time of day, politely, and gee, boss, ain't I a great guy for it?

There was also what I took to be some pretty nasty stuff about Paul Aebersold. He is the one who opened and forced the idea of using NAA. It was very unwelcome, particularly some of his specifics. If what was said about him had been true I do not see how he could have kept a security clearance. Only this past Monday, from Gallagher, did I learn that shortly thereafter Aebersold committed suicide. I know nothing about it.

Aside from wanting to help solve the crime and use the newest in science to this end Aebersold by-passed the FBI by writing to the chief of the DJ Criminal Division. As I recall his letter, which I have, he recommended you and I think you and your lab alone. When we asked Gallagher why he did not use you he bad-mouthed you and said your commercial instincts would make the whole think insecure and risky, that you would not miss this great chance to leak and sell your stuff.

It is Gallagher who decided what would and would not be done, with no problems from the Oak Ridge contractor. He thus managed to avoid the testing urged by Aebersold, on the unfired bullet found in the rifle, chambered.

There are no reports that can be called reports on any of this. No final reports in summary factual form and in all only a few expressions of deprecating opinion from the extraordinarily reluctant Hoover.

Nothing else reached the Commission and there is little else in FBI files. They say. The absence of records in any homicide, more that of a President, astounds me. On the records we have an agent swearing both ways and then Gallagher swearing still a third way. False swearing is not uncommon, but who prosecutes the prosecutor?

While I have no way of knowing I do believe that a desire to be able to control what was and was not done, what did and did not exist, may well be what accounts for the attitude toward you and your company. If Gallagher and the FBI were not aware of it Aebersold did state that you were pioneering and had criminalistics experience with NAA.

I have read some of your work but I know nothing else about you. However, after I read the Aebersold letter, perceived the FBI attitude and particularly after I obtained the Gallagher memo reporting putting you off if it had been within my capabilities I would have sought to engage you as an expert. However, I am without means so I did not write you. What I heard from Gallagher this week prompts this letter.

The issue now is the existence of tests. Proving the FBI has what it swears it does not have is not easy. One way is to prove it should exist and force the FBI to swear that when the President was killed it failed to do what it should.

It has failed to swear unequivocally that the records I seek do not exist. It is evasive, semantical and clearly depends on the reluctance of judge to tangle with it.

This is an old case. It is one of four cited in the debates on amending the Act, cited as requiring the amending. In plain English the amending of the Act directed the FBI to give me the withheld records. To then it had not given me a single record.

If you desire when the transcript is available and if my lawyer says I may I will lend you a copy. If I recall one of your studies correctly and understand Gallagher through his long speeches he downgraded the usefulness of NAA in testing jacket material.

Now the federal effort is to end my making of a record, the testimony I am taking by direction of the appeals court.

If you should want to communicate with my lawyer he is J.H. Lezar, 1231 4 St., SW, Washington, D.C. 20024.

Sincerely,

Harold Weisberg